

1 **HTC LANGUAGE FOR BUDGET BILL (dr req 20-1017)**

2 ***[Agency of Transportation proposals, as modified by Legislative Counsel]***

3 ***[YELLOW = a further Agency proposal or Legislative Counsel change]***

4 ***GREEN = a Rep. McCarthy proposal***

5 ***GRAY = a HTC change/Legislative Counsel shortening]***

6 Sec. **A.** 2020 Acts and Resolves No. 121, Sec. 1(d)(3) is amended to read:

7 (3) “Federal COVID-19 legislation” includes any federal infrastructure
8 bills or other federal legislation that ~~provide~~ provides the State with additional
9 federal funding for transportation-related projects in fiscal year 2021 or was
10 enacted as a result of COVID-19, including an extension of the Fixing
11 America’s Surface Transportation Act, Pub. L. No. 114-94 (FAST Act) that
12 provides additional federal funding or flexibility with how federal funding can
13 be used, such as eliminating state match requirements, or any transportation-
14 related infrastructure stimulus bill.

15 Sec. **B.** 2020 Acts and Resolves No. 121, Sec. 1a is amended to read:

16 Sec. 1a. FISCAL YEAR 2021 TRANSPORTATION INVESTMENTS
17 INTENDED TO REDUCE TRANSPORTATION-RELATED
18 GREENHOUSE GAS EMISSIONS, REDUCE FOSSIL FUEL
19 USE, AND SAVE VERMONT HOUSEHOLDS MONEY

20 * * *

1 (5) Rail Program. This act authorizes ~~\$30,815,640.00~~ \$31,494,448.00
2 for intercity passenger rail service and rail infrastructure throughout the State,
3 including modifications to the Burlington Vermont Rail Systems railyard to
4 accommodate overnight servicing to facilitate New York City-Burlington rail
5 service.

6 * * *

7 (8) Vehicle incentive programs. ~~See Secs. 14 and 7c(a)~~ of this act
8 ~~authorizes authorize~~ an additional \$50,000.00 to support administrative costs
9 associated with MileageSmart, which is the State's used high fuel efficiency
10 vehicle incentive program, and to ensure that the State's emissions repair
11 program is operational not later than July 1, 2021 ~~and Sec. 7c(b) of this act~~
12 ~~authorizes \$500,000.00 for additional incentives in the New PEV Incentive~~
13 ~~Program.~~ ~~Secs. 3 and 5~~ Sec. 3 of this act also ~~authorize~~ authorizes the
14 Secretary of Transportation to expend additional monies on the New PEV
15 Incentive Program and MileageSmart if such funding becomes available.

16 Sec. **C.** [Deleted.]

17 Sec. **D.** 2020 Acts and Resolves No. 121, Sec. 3 is amended to read:

18 Sec. 3. AGENCY SPENDING; AUTHORITY TO REDIRECT; REPORT

19 * * *

20 (e) ~~The Secretary of Administration shall, on or before July 31, 2020, file a~~
21 ~~written report listing all expenditures made during fiscal year 2020 under the~~

1 ~~authority of subsections (a) and (b) of this section to the House and Senate~~
2 ~~Committees on Transportation, Joint Fiscal Office, Joint Fiscal Committee,~~
3 ~~and Joint Transportation Oversight Committee~~ **If additional funding becomes**
4 **available pursuant to this section an additional \$500,000.00 for the New PEV**
5 **Incentive Program created pursuant to 2019 Acts and Resolves No. 59, Sec.**
6 **34, as amended by the act, shall be the top priority. The Agency shall have**
7 **discretion, within the guidelines established pursuant to subsections (a) and (b)**
8 **of this section, if there is more than \$500,000.00 available for reallocation.**

9 * * *

10 (g) The ~~reports~~ report required pursuant to ~~subsections (e) and~~
11 subsection (f) of this section shall be in addition to the report required pursuant
12 to 19 V.S.A. § 10g(e).

13 Sec. **E.** **[Deleted.]**

14 Sec. **F.** 2020 Acts and Resolves No. 121, Sec. 4 is amended to read:

15 Sec. 4. ADDITION OF BURLINGTON RAIL YARD REALIGNMENT

16 FOR AMTRAK PROJECT; RAIL PROGRAM

17 (a) The following project is added to the development and evaluation list of
18 Rail within the Agency's Fiscal Year 2020 Transportation Program, as adopted
19 pursuant to 2019 Acts and Resolves No. 59, Sec. 1, and the ~~development and~~
20 ~~evaluation~~ construction list of Rail within the Agency's Proposed Fiscal Year
21 2021 Transportation Program, with a spending authorization of \$1,450,000.00

1 in Transportation Fund monies for construction: Burlington – Railyard
2 Realignment for Amtrak.

3 (b) Within the Agency of Transportation’s Proposed Fiscal Year 2021
4 Transportation Program for Rail, authorized spending for Statewide – Amtrak
5 Contract is reduced by \$750,000.00 in Transportation Fund monies.

6 (c) Within the Agency of Transportation’s Proposed Fiscal Year 2021
7 Transportation Program for Rail, authorized spending for Statewide – Rail
8 Section Administration is reduced by \$21,192.00 in Transportation Fund
9 monies.

10 Sec. **G**. 2020 Acts and Resolves No. 121, Sec. 5(a) is amended to read:

11 (a) Within the Agency of Transportation’s Proposed Fiscal Year 2021
12 Transportation Program for Maintenance, authorized spending is amended as
13 follows:

<u>FY21</u>	<u>As Proposed</u>	<u>As Amended</u>	<u>Change</u>
Personal	45,757,089	45,757,089	0
Services		<u>45,305,185</u>	<u>-451,904</u>
Operating	52,896,134	52,296,134	-600,000
Expenses		<u>53,791,051</u>	<u>894,917</u>
Grants	240,200	240,200	0
Total	98,893,423	98,293,423	-600,000
		<u>99,336,436</u>	<u>443,013</u>

1	<u>Sources of funds</u>			
2	State	96,415,636	95,815,636	-600,000
3			96,858,649	443,013
4	Federal	2,377,787	2,377,787	0
5	Interdepart.	100,000	100,000	0
6	Transfer			
7	Total	98,893,423	98,293,423	-600,000
8			99,336,436	443,013

9 Sec. **H.** 2020 Acts and Resolves No. 121, Sec. 5a is amended to read:

10 Sec. 5a. ~~CLARENDON SRE BUILDING AVIATION~~

11 (a) Clarendon SRE building. Within the Agency of Transportation’s
12 Proposed Fiscal Year 2021 Transportation Program for Aviation, authorized
13 spending for Clarendon AV-FY20-001 is amended as follows:

14 * * *

15 (b) Morristown fuel farm. Within the Agency of Transportation’s
16 Proposed Fiscal Year 2021 Transportation Program for Aviation, authorized
17 spending for Morristown AV-FY21-015 is amended by increasing spending
18 authority for construction by \$230,000.00 in Transportation Fund monies.

19 (c) Coventry runway 5/23. Within the Agency of Transportation’s
20 Proposed Fiscal Year 2021 Transportation Program for Aviation, the sources

1 of funds for Coventry AV-FY20-002 is amended by reducing Transportation
2 Fund monies by \$8,000.00 and increasing federal fund monies by \$8,000.00.

3 (d) Paving. Within the Agency of Transportation’s Proposed Fiscal Year
4 2021 Transportation Program for Aviation, the sources of funds for Statewide
5 AV-FY19-013 is amended by reducing Transportation Fund monies by
6 \$14,420.00 and increasing federal fund monies by \$14,420.00; and the sources
7 of funds for Statewide AV-FY21-003 is amended by reducing Transportation
8 Fund monies by \$4,000.00 and increasing federal fund monies by \$4,000.00.

9 (e) Administrative support. Within the Agency of Transportation’s
10 Proposed Fiscal Year 2021 Transportation Program for Aviation, authorized
11 spending for Statewide – Aviation Admin. Support is reduced by \$17,846.00 in
12 Transportation Fund monies.

13 Sec. I. 2020 Acts and Resolves No. 121, Sec. 6 is amended to read:

14 Sec. 6. PROGRAM DEVELOPMENT; ROADWAY

15 (a) Within the Agency of Transportation’s Proposed Fiscal Year 2021
16 Transportation Program for Program Development—Roadway, authorized
17 spending for Burlington MEGC M 5000(1) is amended as follows:

18 * * *

19 (b) Within the Agency of Transportation’s Proposed Fiscal Year 2021
20 Transportation Program for Program Development—Roadway, the sources of

1 funds for Pittsford NH 019-3(491) is amended by reducing TIB funds by
2 \$946,000.00 and increasing federal fund monies by \$946,000.00.

3 Sec. **J**. 2020 Acts and Resolves No. 121, Secs. 7b–**7d** and the corresponding
4 reader assistance headings are added to read:

5 * * * Paving * * *

6 Sec. 7b. PROGRAM DEVELOPMENT; PAVING

7 (a) Within the Agency of Transportation’s Proposed Fiscal Year 2021
8 Transportation Program for Program Development—Paving, authorized
9 spending for Statewide Federal Paving is amended as follows:

10	<u>FY21</u>	<u>As Proposed</u>	<u>As Amended</u>	<u>Change</u>
11	PE	150,000	150,000	0
12	Construction	0	5,750,000	5,750,000
13	Total	150,000	5,900,000	5,750,000
14	<u>Sources of funds</u>			
15	State	28,380	1,178,380	1,150,000
16	Federal	121,620	4,721,620	4,600,000
17	Total	150,000	5,900,000	5,750,000

18 (b) Within the Agency of Transportation’s Proposed Fiscal Year 2021
19 Transportation Program for Program Development—Paving, authorized
20 spending for Sharon–Bethel IM 089-1(66) is amended as follows:

21	<u>FY21</u>	<u>As Proposed</u>	<u>As Amended</u>	<u>Change</u>
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1	Construction	7,997,282	7,997,282	0
2	Total	7,997,282	7,997,282	0
3	<u>Sources of funds</u>			
4	State	1,033,726	1,158,673	124,947
5	TIB	479,360	186,913	-292,447
6	Federal	6,484,196	6,651,696	167,500
7	Total	7,997,282	7,997,282	0

8 * * * Administration * * *

9 Sec. 7c. PROGRAM DEVELOPMENT; ADMINISTRATION

10 (a) Within the Agency of Transportation's Proposed Fiscal Year 2021

11 Transportation Program for Program Development—Administration,
12 authorized spending is amended as follows:

13	FY21	As Proposed	As Amended	Change
14	Personal	14,330,018	14,076,210	-253,808
15	Services			
16	Operating	9,825,225	9,708,921	-116,304
17	Expenses			
18	Grants	500,000	500,000	0
19	Total	24,655,243	24,285,131	-370,112
20	Sources of funds			
21	State	18,425,445	18,055,333	-370,112

1	Federal	6,229,798	6,229,798	0
2	Total	24,655,243	24,285,131	-370,112

3 **(b) The following project is added to the Agency of Transportation's**
4 **Proposed Fiscal Year 2021 Transportation Program for Program Development,**
5 **with a spending authorization of \$550,000.00 in Transportation Fun monies;**
6 **Funding for PEV Incentive Programs.**

7 * * * State Highway Bridges * * *

8 Sec. 7d. PROGRAM DEVELOPMENT; STATE HIGHWAY BRIDGES

9 (a) Within the Agency of Transportation's Proposed Fiscal Year 2021
10 Transportation Program for Program Development—State Highway Bridges,
11 the sources of funds for North Hero–Grand Isle BHF 028-1(26) is amended by
12 reducing TIB funds by \$2,910,000.00 and increasing federal fund monies by
13 \$2,910,000.00.

14 (b) Within the Agency of Transportation's Proposed Fiscal Year 2021
15 Transportation Program for Program Development—State Highway Bridges,
16 the sources of funds for Middlebury WCRS(23) is amended by reducing
17 Transportation Fun monies by \$850,000.00 and increasing federal fund monies
18 by \$850,000.00.

1 Sec. **K**. 2020 Acts and Resolves No. 121, Sec. 9(c) and (d) are amended to
2 read:

3 (c) To the extent that the Agency is able to secure ~~additional~~ unobligated
4 federal funds for Increased Public Transit for Fiscal Year 2021, the spending
5 authority for Increased Public Transit for Fiscal Year 2021 is increased by that
6 same amount in federal funds.

7 (d) ~~The~~ If the Agency is able to secure unobligated federal funds for
8 Increased Public Transit for Fiscal Year 2021, those funds shall be used to
9 increase public transit initiatives in fiscal year 2021 in conformance with the
10 implementation plan in the Agency of Transportation's 2019 Public Transit
11 Policy Plan (PTPP) and findings of the Report on Methods to Increase the Use
12 of Public Transit in Vermont prepared pursuant to 2019 Acts and Resolves No.
13 59, Sec. 20. Additional initiatives may include:

14 * * *

15 Sec. **L**. 2020 Acts and Resolves No. 121, Secs. 9a and 9b are added to read:

16 Sec. 9a. TRANSPORTATION DEMAND MANAGEMENT AND
17 MICRO-TRANSIT INNOVATIONS GRANT PROGRAM
18 FUNDING

19 The following project is added to the Agency of Transportation's Proposed
20 Fiscal Year 2021 Transportation Program for Public Transit, with a spending

1 authorization of \$500,000.00 in Transportation Fund monies: Transportation
2 Demand Management and Micro-Transit Innovations Grant Program.

3 Sec. 9b. PUBLIC TRANSIT; ADMINISTRATIVE SUPPORT

4 (a) Within the Agency of Transportation’s Proposed Fiscal Year 2021
5 Transportation Program for Public Transit, authorized spending for State
6 Public Transportation is amended as follows:

<u>FY21</u>	<u>As Proposed</u>	<u>As Amended</u>	<u>Change</u>
Other	6,241,403	7,128,955	887,552
Total	6,241,403	7,128,955	887,552
<u>Sources of funds</u>			
State	6,241,403	3,190,600	-3,050,803
Federal	0	3,938,355	3,938,355
Total	6,241,403	7,128,955	887,552

14 (b) Within the Agency of Transportation’s Proposed Fiscal Year 2021
15 Transportation Program for Public Transit, authorized spending authority for
16 Administrative Support – Public Transit Admin Support is reduced by
17 \$5,577.00 in Transportation Fund monies.

18 Sec. M. 2020 Acts and Resolves No. 121, Secs. 11 and 12 are amended to
19 read:

20 Sec. 11. TRANSFER TO CENTRAL GARAGE FUND

1 Notwithstanding 19 V.S.A. § 13(c)(1), in fiscal year 2021, the amount of
2 ~~\$1,605,358.00~~ \$405,358.00 is transferred from the Transportation Fund to the
3 Central Garage Fund created in 19 V.S.A. § 13.

4 Sec. 12. CENTRAL GARAGE EQUIPMENT

5 In fiscal year 2021, the amount of ~~\$8,668,094.00~~ \$7,468,094.00 is
6 authorized for replacement equipment pursuant to 19 V.S.A. § 13(b) and, of
7 this amount, a minimum of \$250,000.00 shall be dedicated for the replacement
8 of Department of Motor Vehicles enforcement fleet vehicles.

9 Sec. **N**. 2020 Acts and Resolves No. 121, Sec. 12a–12i and the corresponding
10 reader assistance headings are added to read:

11 Sec. 12a. CENTRAL GARAGE FUNDING

12 Within the Agency of Transportation’s Proposed Fiscal Year 2021
13 Transportation Program for Central Garage, authorized spending is amended as
14 follows:

15	<u>FY21</u>	<u>As Proposed</u>	<u>As Amended</u>	<u>Change</u>
16	Personal	4,612,051	4,566,949	–45,102
17	Services			
18	Operating	17,027,708	15,815,926	–1,211,782
19	Expenses			
20	Total	21,639,759	20,382,875	–1,256,884

1	<u>Sources of funds</u>			
2	Internal	21,639,759	20,382,875	-1,256,884
3	Service Fund			
4	Total	21,639,759	20,382,875	-1,256,884

5 * * * Town Highways * * *

6 * * * Town Highway Bridge * * *

7 Sec. 12b. BRATTLEBORO-HINSDALE, NH

8 Within the Agency of Transportation's Proposed Fiscal Year 2021

9 Transportation Program for Town Highway Bridge, authorized spending for

10 Brattleboro-Hinsdale, NH is amended as follows:

11	<u>FY21</u>	<u>As Proposed</u>	<u>As Amended</u>	<u>Change</u>
12	Other	750,000	750,000	0
13	PE	0	200,000	200,000
14	ROW	2,875,973	4,675,973	1,800,000
15	Construction	1,000,000	1,000,000	0
16	Total	4,625,973	6,625,973	2,000,000

17 Sources of funds

18	TIB	925,195	1,325,000	400,000
19	Federal	3,700,778	5,100,778	1,600,000
20	Total	4,625,973	6,625,973	2,000,000

1 * * * Town Highway Structures * * *

2 Sec. 12c. TOWN HIGHWAY STRUCTURES

3 (a) Notwithstanding 19 V.S.A. § 306(e)(2), within the Agency of
4 Transportation’s Proposed Fiscal Year 2021 Transportation Program for Town
5 Highway Structures, authorized spending for grants is reduced by
6 \$1,683,500.00 in Transportation Fund monies.

7 (b) Notwithstanding 19 V.S.A. § 306(e)(2), the Agency shall not issue any
8 new grants under the Town Highway Structures Program in fiscal year 2021.

9 * * * Town Highway Class 2 Roadway * * *

10 Sec. 12d. TOWN HIGHWAY CLASS 2 ROADWAY

11 (a) Notwithstanding 19 V.S.A. § 306(h), within the Agency of
12 Transportation’s Proposed Fiscal Year 2021 Transportation Program for Town
13 Highway Class 2 Roadway, authorized spending for grants is reduced by
14 \$4,398,750.00 in Transportation Fund monies.

15 (b) Notwithstanding 19 V.S.A. § 306(h), the Agency shall not issue any
16 new grants under the Class 2 Town Highway Roadway Program in fiscal year
17 2021.

18 * * * Department of Motor Vehicles * * *

19 Sec. 12e. DEPARTMENT OF MOTOR VEHICLES

1 Within the Agency of Transportation’s Proposed Fiscal Year 2021
2 Transportation Program for the Department of Motor Vehicles, authorized
3 spending is amended as follows:

<u>FY21</u>	<u>As Proposed</u>	<u>As Amended</u>	<u>Change</u>
Personal	22,431,670	22,480,038	48,368
Services			
Operating	11,961,554	11,865,495	-96,059
Expenses			
Total	34,393,224	34,345,533	-47,691

10 Sources of funds

State	32,900,015	32,852,324	-47,691
Federal	1,345,934	1,345,934	0
Interdepart.	147,275	147,275	0
Transfer			
Total	34,393,224	34,345,533	-47,691

16 * * * Finance and Administration * * *

17 Sec. 12f. FINANCE AND ADMINISTRATION

18 Within the Agency of Transportation’s Proposed Fiscal Year 2021

19 Transportation Program for Finance and Administration, authorized spending
20 is amended as follows:

1	<u>FY21</u>	<u>As Proposed</u>	<u>As Amended</u>	<u>Change</u>
2	Personal	12,868,777	12,760,887	-107,890
3	Services			
4	Operating	3,192,062	3,163,873	-28,189
5	Expenses			
6	Grants	55,000	55,000	0
7	Total	16,115,839	15,979,760	-136,079
8	<u>Sources of funds</u>			
9	State	15,244,639	15,108,560	-136,079
10	Federal	871,200	871,200	0
11	Total	16,115,839	15,979,760	-136,079

12 * * * Policy and Planning * * *

13 Sec. 12g. POLICY AND PLANNING

14 Within the Agency of Transportation's Proposed Fiscal Year 2021

15 Transportation Program for Policy and Planning, authorized spending is

16 amended as follows:

17	<u>FY21</u>	<u>As Proposed</u>	<u>As Amended</u>	<u>Change</u>
18	Personal	4,227,395	4,199,096	-28,299
19	Services			
20	Operating	1,000,651	993,259	-7,392
21	Expenses			

1	Grants	6,358,650	6,358,650	0
2	Total	11,586,696	11,551,005	-35,691
3	<u>Sources of funds</u>			
4	State	3,039,596	3,003,905	-35,691
5	Federal	8,529,250	8,529,250	0
6	Interdepart.	17,850	17,850	0
7	Transfer			
8	Total	11,586,696	11,551,005	-35,691

9 * * * Transportation Board * * *

10 Sec. 12h. TRANSPORTATION BOARD

11 Within the Agency of Transportation's Proposed Fiscal Year 2021

12 Transportation Program for Transportation Board, authorized spending is

13 amended as follows:

14	<u>FY21</u>	<u>As Proposed</u>	<u>As Amended</u>	<u>Change</u>
15	Personal	152,582	152,387	-195
16	Services			
17	Operating	33,168	32,387	-781
18	Expenses			
19	Total	185,750	184,774	-976

20 Sources of funds

21	State	185,750	184,774	-976
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1 Total 185,750 184,774 –976

2 * * * One-Time Spending; Transportation Fund General Fund;

3 Coronavirus Relief Fund * * *

4 Sec. 12i. ONE-TIME SPENDING

5 (a) Transportation Fund. In fiscal year 2021, spending authority of

6 Transportation Fund monies is added to the fiscal year 2021 Transportation

7 Program as follows:

8 (1) \$7,000,000.00 to be distributed to municipalities not later than

9 October 31, 2020 in the same apportionments prescribed under 19 V.S.A. §

10 306(a)(3):

11 (2) \$1,000,000.00 for maintenance and roadside mowing;

12 (3) \$4,000,000.00 for leveling and paving projects; and

13 (4) \$900,000.00 for information technology modernization at the

14 Department of Motor Vehicles.

15 (b) Coronavirus Relief Fund. In fiscal year 2021, spending authority of

16 Coronavirus Relief Fund (CRF) in the amount of \$1,557,438.00 is added to the

17 fiscal year 2021 Transportation Program in DeptID 8100007000;

18 AOT_COVID-19.

19 (c) Calculation of town highway aid. The additional spending authority

20 authorized pursuant to subsection (a)(1) of this section shall not be included in

1 any subsequent calculations for the annual appropriation for town highway aid
2 pursuant to 19 V.S.A. § 306(a).

3 Sec. O. 2019 Acts and Resolves No. 59, Sec. 34(a) as amended by 2020 Acts
4 and Resolves No. 121, Sec. 14 is further amended to read:

5 (a) Vehicle incentive and emissions repair programs administration.

6 * * *

7 (2) The Agency is authorized to spend \$2,000,000.00 as appropriated in
8 the fiscal year 2020 budget, ~~\$50,000.00 in Transportation Fund monies,~~ and
9 any additional monies as appropriated in the fiscal year 2021 budget or
10 Transportation Fund monies authorized to be expended by the Secretary of
11 Transportation pursuant to Secs. 3 and 5 of this act, or both, on the programs
12 described in subsections (b) and (c) of this section. Notwithstanding any other
13 provision of law and subject to the approval of the Secretary of Administration,
14 appropriations for the programs described in subsections (b) and (c) of this
15 section remaining unexpended on June 30, 2021 shall be carried forward and
16 designated for expenditure on these programs in the subsequent fiscal year.

17 (3) Subject to State procurement requirements, the Agency may retain a
18 contractor or contractors to assist with marketing, program development, and
19 administration of the programs. Up to \$150,000.00 of program funding may
20 be set aside for this purpose for the programs described in subsection (c) of this
21 section in fiscal year 2020 and \$50,000.00 of program funding shall be set

1 aside for this purpose for the programs described in subsection (c) of this
2 section in fiscal year 2021 and to ensure that the emissions repair program is
3 operational not later than July 1, 2021. In fiscal year 2021, the Agency is
4 authorized to spend up to \$200,000.00 in program funding to continue and
5 expand the Agency's public private partnership with Drive Electric Vermont to
6 support the expansion of the PEV market in the State through technical and
7 consumer assistance; auto dealer education; outreach and incentive program
8 management, including marketing, consumer support, record keeping and
9 reporting, program development and modification, and general program
10 administration for the program described in subsection (b) of this section; and
11 PEV promotional efforts. The Agency shall develop, in consultation with the
12 Departments of Environmental Conservation and of Public Service, a scope of
13 work for funding the Agency's grants to Drive Electric Vermont pursuant to
14 this section.

15 * * *

16 Sec. P. REPEALS

17 2020 Acts and Resolves No. 121, Secs. 5(b) (contingent funding for the
18 vehicle incentive programs), 5b (Morristown fuel farm), and 9(b) (spending
19 authorization for increased public transit) are repealed.